

# CAB California Supplemental Examination

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## CONFIDENTIALITY / SECURITY AGREEMENT FOR CALIFORNIA SUPPLEMENTAL EXAMINATION COMMISSIONER

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Professional Management and Evaluation Services, Inc. (PMES) is charged by the California Architects Board (CAB) to develop the California Supplemental Examination for architectural candidates. The security of this examination must be maintained at all phases of the development, administration, and scoring processes. Everyone associated with any of these phases must agree to maintain the security by not discussing any of the confidential information being reviewed.

I understand that I am responsible for maintaining strict confidentiality of any of the information relative to the examination. I agree to follow the security standards specified below and must read and understand the complete provisions of Sections 123, 123.5, and 496 of the Business and Professions Code as contained on the reverse side of this form.

1. I will not discuss with or disclose to anyone except CAB and PMES staff members any aspect of the examination materials shared with me during this process.
2. I will not discuss with nongraders the supplemental examination questions, grading criteria, or any candidate's performance.
3. I agree to work in a secure grading area, with minimized access to unauthorized persons. Materials must be maintained in a secure area.
4. I will not retain, photocopy, or reproduce any of the materials or any of the notes made during the process. All such materials must be maintained in a secure area.
5. While participating in the supplemental examination administration sessions, I will observe security procedures, including wearing a name badge as necessary and using discretion in discussing examination-related topics in public.
6. During the period of my participation in the supplemental examination process and for two years thereafter, I will avoid involvement in any exam-oriented review program for prospective candidates of this program. Prohibited activities include, but are not limited to, developing candidate review materials, coaching prospective candidates, or giving exam-oriented presentations or seminars.

The California Architects Board and Professional Management and Evaluation Services, Inc. appreciate your cooperation in this important activity. **Please review, sign, and return this entire form to CAB staff.**

I have read and understood these security standards and the complete provisions of Sections 123, 123.5, and 496 of the Business and Professions Code as contained on the reverse side of this form and agree to abide by them as California Supplemental Examination commissioner.

NAME \_\_\_\_\_ Date \_\_\_\_\_

SIGNATURE \_\_\_\_\_

License # \_\_\_\_\_

**The following sections of the Business and Professions Code were enacted to ensure that state agencies can maintain the security of their exams.**

**123. Subversion of licensing examinations or administration of examinations; conduct constituting violation; penalty**

It is a misdemeanor for any person to engage in any conduct which subverts or attempts to subvert any licensing examination or the administration of an examination, including, but not limited to:

- (a) Conduct which violates the security of the examination materials; removing from the examination room any examination materials without authorization; the unauthorized reproduction by any means of any portion of the actual licensing examination; aiding by any means the unauthorized reproduction of any portion of the actual licensing examination; paying or using professional or paid examination-takers for the purpose of reconstructing any portion of the licensing examination; obtaining examination questions or other examination material, except by specific authorization either before, during, or after an examination; or using or purporting to use any examination questions or materials which were improperly removed or taken from any examination for the purpose of instructing or preparing any applicant for examination; or selling, distributing, buying, receiving, or having unauthorized possession of any portion of a future, current, or previously administered licensing examination.
- (b) Communicating with any other examinee during the administration of a licensing examination; copying answers from another examinee or permitting one's answers to be copied by another examinee; having in one's possession during the administration of the licensing examination any books, equipment, notes, written or printed materials, or data of any kind, other than the examination materials distributed, or otherwise authorized to be in one's possession during the examination; or impersonating any examinee or having an impersonator take the licensing examination on one's behalf.

Nothing in this section shall preclude prosecution under the authority provided for in any other provision of law.

In addition to any other penalties, a person found guilty of violating this section, shall be liable for the actual damages sustained by the agency administering the examination not to exceed ten thousand dollars (\$10,000) and the costs of litigation.

- (c) If any provision of this section or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the section that can be given effect without the invalid provision or application, and to this end the provisions of this section are several.

**123.5 Engagement in practices constituting a violation under § 123; injunction or restraining order**

Whenever any person has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, a violation of Section 123, the superior court in and for the county wherein the acts or practices take place, or are about to take place, may issue an injunction, or other appropriate order, restraining such conduct on application of a board, the Attorney General or the district attorney of the county.

The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure.

The remedy provided for by this section shall be in addition to, and not a limitation on, the authority provided for in any other provision of law.

**496. Violation of § 123; denial, suspension, or revocation of license**

A board may deny, suspend, revoke, or otherwise restrict a license on the ground that an applicant or licensee has violated Section 123 pertaining to subversion of licensing examinations.